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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 STEPHANIE DAPPER,
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10 Plaintiff,

11 v.
12 BRINDERSON, LLC, et al.,
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14 Defendants.

C23-0632 TSZ

MINUTE ORDER

12 The following Minute Order is made by direction of the Court, the Honorable
13 Thomas S. Zilly, United States District Judge:

14 (1) Defendant Brinderson, LLC's Motion to Partially Quash the Subpoena to
15 Michael Martin, docket no. 61, is DENIED. To dispel any ambiguity as to Request no. 8,
16 the Plaintiff may seek “[d]ocuments and communication relating to the website
‘Anonib.al,’” including Martin’s browser history evidencing visits to the website from
September 1, 2021, to present. *See* docket no. 62-7 at pg. 9.¹

17 (a) As a preliminary matter, the Court finds Defendant has standing to
18 challenge the subpoena. To find otherwise would result in each non-party prior employee
19 having to intervene in the case in order to protect their own privacy interests. *See Emara*
v. Multicare Health System, 2012 WL 5205950, at *3 (W.D. Wash. 2012); *see also*
Anstead v. Virginia Mason Medical Center, 2023 WL 34505, at *2 (W.D. Wash. Jan. 4,
2023).

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22 ¹ Anonib.al, herein after referred to as “the website”.
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(b) Parties may obtain discovery regarding “any non privileged matter that is relevant to any party’s claim or defense.” Federal Rules of Civil Procedure (“F.R.C.P.”) 26.1(b)(2). Plaintiff alleges Defendant engaged in gender discrimination and retaliation in violation of Title VII and the Washington Law Against Discrimination. See docket no. 30 at pgs. 7-8. Defendant argues that the subpoena of Martin is irrelevant to Plaintiff’s claims because information relating to Martin’s visits to the website are not evidence of a nexus between the Defendant and the dissemination of the images. Docket no. 61 at pgs. 7-8. Plaintiff responds that information about how, where, and when the images were accessed is relevant to her claims and any privacy interest of Martin is outweighed by the probative value of the discovery. Docket no. 66 at pg. 10. The Court agrees with Plaintiff and finds that the subpoena is “reasonably calculated to lead to the discovery of admissible evidence.” F.R.C.P. 26(b)(1).

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 29th day of October, 2024.

Ravi Subramanian
Clerk

s/Laurie Cuaresma
Deputy Clerk